

EXHIBIT “C”

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
BEFORE THE HONORABLE GLORIA M. NAVARRO
CHIEF UNITED STATES DISTRICT JUDGE

UNITED STATES OF AMERICA, :
Plaintiff, :
vs. : No. 2:16-cr-00100-GMN-CWH
JAN ROUVEN FUECHTENER, :
Defendant. :
:

TRANSCRIPT OF BENCH TRIAL - DAY 3
(Pages 455 through 540)

November 16, 2016

Las Vegas, Nevada

FTR No. 7D/20161116 @ 12:12 p.m.

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1 MS. CARTIER-GIROUX: Sorry. I got a special
2 request from --

3 THE COURT: Yes. Let's go ahead and take a
4 break for about 10 -- 10, 15 minutes or so.

5 THE WITNESS: Thank you.

6 THE COURT: I know the bathroom is very far away
7 from the courtroom.

8 And we'll just remind Agent Panovich that you
9 are still under oath. Please don't talk to any of the
10 attorneys during the break. All right?

11 THE WITNESS: Yes. Thank you, ma'am. Thank
12 you.

13 COURTROOM ADMINISTRATOR: All rise.

14 Off record.

15 (Recess from 1:34 p.m. until 2:52 p.m.)

16 COURTROOM ADMINISTRATOR: All rise.

17 THE COURT: All right. Thank you. You may be
18 seated.

19 All right. So are we going to resume testimony
20 or -- I had a rumor communicated to me that perhaps you all
21 needed a little bit more time before we could resume.

22 MS. ROOHANI: Yes, Your Honor. We are drafting
23 a document for the defense's review, and we would
24 potentially be ready to present it to the Court at 4:00.

25 So we would ask for a short recess until 4:00 to

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1 see if we can get that done. And if not, then we'll be
2 prepared to proceed at that time.

3 THE COURT: All right.

4 So 4:00, Mr. Marchese?

5 MR. MARCHESE: That's all correct. And we will
6 obviously stay here.

7 THE COURT: All right. So are the marshals
8 going to take the defendant back, or will you have an
9 opportunity to meet with the defendant once the paperwork
10 is ready?

11 MR. MARCHESE: We'd certainly like access to
12 him. I'll leave it up to the marshals however they want
13 to --

14 THE COURT: All right. Marshals, can you make
15 that happen so that when paperwork is ready the defense can
16 have an opportunity to review it with the defendant?

17 MARSHAL: Yes, Your Honor.

18 THE COURT: All right. Thank you.

19 MS. CARTIER-GIROUX: Thank you, Your Honor.

20 THE COURT: All right. So we'll be back here at
21 4:00 p.m.

22 COURTROOM ADMINISTRATOR: All rise.

23 Off record.

24 (Recess from 2:53 p.m. until 4:42 p.m.)

25 COURTROOM ADMINISTRATOR: All rise.

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1 THE COURT: Thank you. You may be seated.

2 All right. So let me take this off.

3 It's 4:42. I don't want to have my staff stay
4 beyond 5:00. And I hope you all understand that. So I'm
5 going to continue this until tomorrow.

6 I did check my calendar. And we could have you
7 start as early as 12 or 12:30 if you want to try to make up
8 for some lost time. I don't know if you have a suggestion
9 as to when. But originally we weren't going to resume
10 tomorrow until 1:00. So that's what you all thought the
11 calendar would be like tomorrow, 1:00 to 5:00.

12 But if you -- if you're willing to come in at
13 12:00 or 12:30 instead, I can be here.

14 MS. ROOHANI: Your Honor, that's fine with the
15 government. And we do anticipate -- I think that
16 Mr. Marchese and I concur that we do need time until
17 tomorrow to have some discussion and figure out some
18 things.

19 So if it would be okay with you, 12:00 is fine
20 with us, if it's okay with them, and we should be ready to
21 go at that point.

22 THE COURT: All right.

23 Mr. Marchese, I know all three of -- you and
24 your two co-counsel are all private attorneys that have
25 other things going on. And I had told you you would have

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1 tomorrow morning free.

2 But do you want to start at 12 noon, or do you
3 want to start at 1:00?

4 MR. MARCHESE: We'll make it work. My only
5 concern is, do we know when he's going to be transported?

6 THE COURT: You can talk to the marshals about
7 that to make sure that he'll be here at a certain time if
8 you want to be able to meet with him and discuss things
9 before court.

10 It looks like maybe he could be here as early as
11 with the first transport.

12 MR. MARCHESE: That's what he's indicating.

13 THE COURT: Okay. And the marshal's shaking his
14 head yes. So they could get that done maybe.

15 MR. MARCHESE: Noon works for us.

16 THE COURT: All right.

17 So does that work for you, Aaron? We'll start
18 at noon?

19 COURTROOM ADMINISTRATOR: Yes, Your Honor.

20 THE COURT: Okay.

21 MS. ROOHANI: And thank you so much for your
22 patience with us, Your Honor. We know this is a little bit
23 awkward. But thank you.

24 THE COURT: All right. You're welcome.

25 And if there's any other changes, some things